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1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY VOGT
(202) 429-7000
GVOGT@WRF.COM

FACSIMILE
(202) 429-7049

APRIL 20, 1999

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RECEIVED
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie R. Salas, Esq.
Secretary
Federal Communications Commission
1919 M St., NW, Room 222
Washington, DC 20554

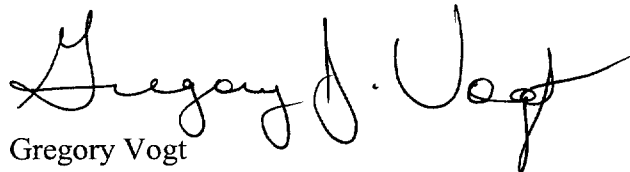
Re: Ex Parte Presentation regarding Public Notice requesting updated
comments in CC Docket Nos. 96-262 and 94-1

Dear Ms. Salas:

I have enclosed, pursuant to the Commission's ex parte rules at 47 C.F.R. § 1.1206(a)(1) and § 1.1206(b)(1), an article sent to the persons designated in the attached letters and related to the above-captioned proceedings.

Please let me know if you have any questions.

Sincerely,


Gregory Vogt

Enclosures: "Cap-Sized: How the Promise of the Price Cap Voyage to Competition Was
Lost in a Sea of Good Intentions" (2 copies).
Cover letters to 22 FCC staff members (2 copies).

No. of Copies rec'd at 1
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1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Tom Power
Federal Communications Commission
445-12th Street, S.W.
Room 8B201L
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Power:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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I hope you find the article useful. Maybe it is a bit much to expect that such an arcane subject might also be interesting. I welcome any comments or questions you might have on the article.

Sincerely,

A handwritten signature in black ink, appearing to be 'GJ' or '15' with a vertical line through it, slanted to the right.

Gregory J. Vogt

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Kevin Martin
Federal Communications Commission
445-12th Street, S.W.
Room 8A302E
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Martin:

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(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Kyle Dixon
Federal Communications Commission
445-12th Street, S.W.
Room 8A204E
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Dixon:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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Gregory J. Vogt

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(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
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GVOGT@WRF.COM

Ms. Linda Kinney
Federal Communications Commission
445-12th Street, S.W.
Room 8B115D
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Ms. Kinney:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Larry Strickling
Federal Communications Commission
445-12th Street, S.W.
Room 5C450
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Strickling:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

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(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Ms. Jane Jackson
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Ms. Jackson:

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Sincerely,

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Gregory J. Vogt

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1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Steve Spaeth
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Spaeth:

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Gregory J. Vogt

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WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Ken Moran
Federal Communications Commission
445-12th Street, S.W.
Room 1600E
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Moran:

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Gregory J. Vogt

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Anthony Busch
Federal Communications Commission
445-12th Street, S.W.
Room 8B428
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Busch:

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Gregory J. Vogt

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Mark Uretsky
Federal Communications Commission
445-12th Street, S.W.
Room 0800A1
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Uretsky:

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1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Rich Lerner
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Lerner:

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WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Len Smith
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Smith:

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(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Ms. Judy Nitsche
Federal Communications Commission
445-12th Street, S.W.
Room 5A207
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

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(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Dr. Robert Pepper
Federal Communications Commission
445-12th Street, S.W.
Room 8A422
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Dr . Pepper:

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WASHINGTON, D.C. 20006
(202) 429-7000

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(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Mr. Yog Varma
Federal Communications Commission
445-12th Street, S.W.
Room 5C325
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

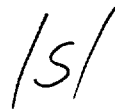
Dear Mr. Varma:

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(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

Ms. Carol Matthey
Federal Communications Commission
445-12th Street, S.W.
Room 5B125
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Ms. Matthey:

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(202) 719-3240

April 6, 1999

FACSIMILE
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Mr. Don Stockdale
Federal Communications Commission
445-12th Street, S.W.
Room 5C354
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Mr. Stockdale:

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April 6, 1999

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The Honorable Susan Ness
Federal Communications Commission
445-12th Street, S.W.
Room 8B115H
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
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Dear Commissioner Ness:

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The Honorable William Kennard
Federal Communications Commission
445-12th Street, S.W.
Room B201H
Washington, D.C. 20554

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The Honorable Harold Furchtgott-Roth
Federal Communications Commission
445-12th Street, S.W.
Room 8A302C
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Commissioner Furchtgott-Roth:

I thought you would be interested in the attached law review article, "Cap-sized: How the Promise of the Price Cap Voyage to Competition Was Lost in a Sea of Good Intentions," published in the March 1999 edition of the Federal Communications Law Journal. The article explores the history of price cap regulation as applied to local exchange carriers and points out both the positive and negative developments along the road to implementation. The article also proposes some specific steps the Commission could take to address some of the negative developments in price cap implementation.

Since the article includes a discussion of several open rulemaking proceedings, I have included a copy of the article in those dockets as required by the Commission's permit but disclose *ex parte* rules.

I hope you find the article useful. Maybe it is a bit much to expect that such an arcane subject might also be interesting. I welcome any comments or questions you might have on the article.

Sincerely,



Gregory J. Vogt

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D.C. 20006
(202) 429-7000

GREGORY J. VOGT
(202) 719-3240

April 6, 1999

FACSIMILE
(202) 429-7049
GVOGT@WRF.COM

The Honorable Michael Powell
Federal Communications Commission
445-12th Street, S.W.
Room 8A204C
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

Dear Commissioner Powell :

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April 6, 1999

FACSIMILE
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GVOGT@WRF.COM

The Honorable Gloria Tristani
Federal Communications Commission
445-12th Street, S.W.
Room 8C302
Washington, D.C. 20554

Re: Law Review Article Reviewing Price Cap Regulation of Local Exchange
Carriers

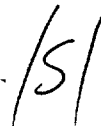
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